

## **REMARKS**

Claims 1-8 are pending and under consideration in the above-identified application.

In the Office Action dated May 29, 2008, the Examiner rejected claims 1-8.

With this Amendment, claims 1-8 were amended and claim 2 was cancelled. No new matter has been introduced as a result of the amendments.

### **I. Objection To Drawings**

The Examiner objected to the drawings under 37 C.F.R. § 1.83(a), indicating that Figures 8-10 should be designated as "Prior Art".

Pursuant to 37 C.F.R. § 1.121(d), enclosed is a replacement sheet of Figures 8 -10 for which approval of the Examiner is requested. The proposed changes are to correct the drawing and do not constitute new matter. In particular, Figures 8-10 were amended to include the legend, "Prior Art." Accordingly, Applicant respectfully requests withdrawal of this objection.

### **II. Objection To Claims**

Claim 2 was objected to because it is dependent on claim 5 and precedes the numbering of claim 5. In response, Applicant cancelled claim 2. Accordingly, the objection is now moot. As such, Applicant respectfully requests that the above objection be withdrawn.

### **III. 35 U.S.C. § 102 Anticipation Rejection of Claims**

Claims 1-8 were rejected under 35 U.S.C. § 102(b) as being anticipated by Guillon et al. (U.S. Patent No. 6,549,097). Applicant respectfully traverses this rejection.

The claims require a micro-resonator having a beam structure where the beam is a vibrating electrode beam.

Guillon et al. discloses an electrical resonator with a conducting bridge that straddles two terminal segments. Guillon et al. does not, however, teach or even fairly suggest a structure having a vibrating electrode beam as required by the claims. Thus, claims 1-8 are patentable over

the cited references. As such, Applicant respectfully requests that the above rejection be withdrawn.

**IV. Conclusion**

In view of the above amendments and remarks, Applicant submits that all claims are clearly allowable over the cited prior art, and respectfully requests early and favorable notification to that effect.

Respectfully submitted,

Dated: August 28, 2008

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